



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

51179

In re application of:

Baranauskas

Serial No.: 09/910,448

Filed: July 20, 2001

For: METHODS OF PRODUCING CONDUCTOR
LAYERS ON DIELECTRIC SURFACES

:

:

: Group Art Unit: 1773

: Examiner: Kevin R. Krueger

#6

TECHNOLOGY CENTER 1700

JAN 15 2003

RECEIVED

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner of Patent and Trademarks
US Patent and Trademark Office
Washington, DC 20231

Dear Sir:

In response to the Restriction Requirement dated December 19, 2002, please consider the following remarks.

Claims 1-26 are pending in the present application. These claims are subject to a restriction requirement as between the following groups of claims:

Group I: claims 1-19, drawn to a process for metal deposition on a substrate treated with bismuth material, classified in class 427, subclass 299+; and

Group II: claims 20-26, drawn to an article comprising a substrate having an electrolytic deposit thereon, classified in class 428, subclass 457+.

Applicant hereby elects, with traverse, to prosecute claims 1-19 (Group I).

MPEP § 803 sets forth two criteria for a proper requirement for restriction between patentably distinct inventions. These criteria are (1) the inventions must be independent or distinct as claimed, and (2) there must be a serious burden on the Examiner.

Applicant respectfully submits that the search and examination of all the claims in this application would not pose a serious burden to the Examiner. The process claimed is for metal deposition, comprising a substrate with a bismuth material and a sulfur material and metal

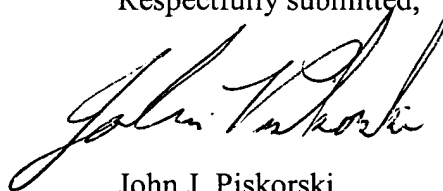
plating the substrate (claim 1). Claims 2-19 depend directly or indirectly from claim 1 and include the subject matter of claim 1. Claim 20 is an article made by the processes of claims 1-19. A disclosure of a process necessarily will result in the disclosure of the article made by the process. Thus, the Examiner, when searching the process claims, necessarily will be searching the subject matter of claim 20. Accordingly, searching the subject matter of claim 20 in addition to the subject matter of claims 1-19 does not present a serious burden on the Examiner.

Further, claims 21-26 are directed to an article of manufacture, comprising a substrate having an electrolytic metal deposit thereon, and a bismuth material underlying the metal deposit. The method recited in claims 1-19 is directed to a process which may be used to make the article of claims 21-26. The process claims are directed to treating a substrate with a bismuth material and a sulfur material and metal plating the substrate. The article of claims 21-26 has an electrolytic metal deposit thereon, and a bismuth underlying the metal deposit. Searching metal plating methods and methods of treating a substrate would necessarily require searching articles made by such a process. A description of a process necessarily has a description of its end product. Accordingly, searching the subject matter of claims 1-19 necessarily involves searching the subject matter of claims 21-26.

Thus, for the foregoing reasons, Applicant respectfully submits that a search and examination of all the claims in the application would not be unduly burdensome.

Therefore, Applicant respectfully requests that the restriction requirement as between the claims of Groups I and II be withdrawn and that the application be examined as a whole.

Respectfully submitted,



John J. Piskorski
Attorney for Applicant
Registration No. 35,647
Telephone No.: (508) 229-7662
Facsimile No.: (508) 787-4730

Shipley Company
455 Forest Street
Marlborough, MA 01752